

## REMARKS

Claims 1-15 are pending in the present application. In the above amendments, claims 6, and 11-15 have been amended. Therefore, after entry of the above amendments, claims 1-15 remain pending in this application. Applicant submits that the amendments listed above have been introduced to correct existing typographical errors, and as such, are not amendments which narrow the claimed subject matter. Further, Applicant believes that the present application is now in condition for allowance, which prompt and favorable action is respectfully requested.

### Claims 1-15

The Office Action has rejected claims 1-15 under 35 U.S.C. 102(b) as being anticipated by Tsukamoto et al. (US 5,128,981).

### Tsukamoto et al.

Applicant submits that Tsukamoto et al. discloses a radio communication system and a portable wireless terminal, (title). Such system allows an “operator of [a] terminal [to] ... depress [a] ... schedule key [to view] ... his own schedule, (col. 14. lns. 31-33), and that scrolling is done by the operator pressing cursor control buttons 161,” (col. 12, lns. 36-37). As such Applicant submits that Tsukamoto et al. is absent any discussion, teaching or suggestion of the displaying of schedule data, or scrolling such schedule data, based on the time of day.

### Claims 1, 7 and 12-13

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, inter alia, “... a time reference for providing current time of day information, wherein the displayed selected information is variable dependent on the current time of day information,” (claim 1), “reading current time of day information, selecting information from said database according to said current time of day information,” (claim 7),

“reading current time of day information, and ... displaying at least some of said schedule data and a time of day indicator associated with an item of said displayed schedule data coincident with the current time of day information,” (claim 12), or “the position of the time of day indicator relative to said item of said displayed schedule data is variable in accordance with the current time of day information and the duration of said item of said displayed schedule data,” (claim 13).

**Manually Entered Date IS NOT Current Time Of Day Information**

Applicant submits that the term “time” is defined as “an appointed, fixed, or customary moment or hour for something to happen, begin, or end ...,” (“time.” Merriam-Webster Online Dictionary. 2004. <http://www.merriam-webster.com> (1 Mar. 2004)). In addition, the term “day” is defined as “the mean solar day of 24 hours beginning at mean midnight,” (“day.” *Id.*). Applicant therefore submits the phrase “time of day,” containing both the terms “time” and “day,” means “an appointed, fixed moment or hour for something to happen within a solar day.” In contrast, Applicant notes that the term “date” is defined as “[t]ime stated in terms of the day, month, and year.” (“date.” Dictionary.com. 2004. <http://dictionary.reference.com> (1 Mar. 2004)). As such, Applicant submits that such an indicator as “1989/5/26,” or any such similar indicator not referencing a moment or hour within a solar day, represents a date, or something other than a “current time of day” indicator.

Therefore, Applicant submits that the specific language of col. 14, lns. 41-45 and col. 15 lns. 17-20 of Tsukamoto et al., specifically referred to in the Office Action, does not disclose, teach or suggest Applicant’s claimed subject matter. Specifically, Applicant submits that such language, in contrast, discloses an instance where an operator depresses a schedule key to review his own schedule, (See also col. 14, lns. 31-33), and where such operator is also prompted to input a date that is subsequently used to display “a schedule of that [entire] day [for that

operator]...,” (col. 14. Ins.46-50), rather than for any particular time of day. Similarly, Applicant submits that the Tsukamoto et al. language of col. 15 Ins. 17-20 discloses the display of a schedule for a particular date, (See also col. 14, Ins. 61-63), that is based on the date entered by the operator, (col. 14. Ins.46-50). Applicant submits that the fact that the a beginning and ending time for any particular meeting may be displayed, in no way discloses, teaches or suggests a “current time of day.” Applicant notes that Tsukamoto et al. is absence any input, display or use of a time of day indicator for any purpose including the purpose of displaying an operator’s schedule.

Further, Applicant submits that as a dependent claim of parent claim 7, dependent claim 10 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

#### Claims 2 and 8

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant’s claimed subject matter including, *inter alia*, “... the selected information is displayed as a sequential list that scrolls as the current time of day information changes,” (claims 2 and 8).

#### Pressing a Cursor Button IS NOT a Change in Current Time Of Day Information

Applicant submits that Tsukamoto et al. discusses scrolling only in conjunction with use of cursor control buttons 161, (col. 12, Ins. 36-37), and that Fig. 11 shows those schedules associated with a certain date sorted by start time where the schedules with the earliest start times are displayed first, (Fig. 11, col. 14, Ins. 61-62). Applicant notes that the “arbitrary time” discussed in col. 14, Ins. 42-43, is a date inputted by the operator, (Also see co. 14, Ins. 46-48), and as such, is therefore not a time of day or a current time of day. As such, Applicant submits

that Tsukamoto et al. simply discloses the display of a particular date's schedule where any scrolling of lines of data is controlled by cursor control buttons rather than any change in the current time of day.

Applicant also submits that as a dependent claim of parent claim 1, dependent claim 2 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

In addition, Applicant also submits that as a dependent claim of parent claim 7, dependent claim 8 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

### Claims 3 and 9

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, *inter alia*, "... the display ... indicate[s] which of the displayed selected information corresponds to the current time of day information," (claims 3 and 9).

### **Notice of a Schedule –OR- a Manually Selected Schedule IS NOT An Indication of Information Related to a Current Time Of Day**

Applicant submits that Tsukamoto et al. discusses the displaying of a particular schedule, (col. 14, lns. 42-43), but is absent disclosure relating to how a particular schedule may be displayed based on any current time of day information. Further, Applicant submits that the single scheduling entry shown in Fig. 9, i.e., a meeting schedule for 14:00 ~ 16:00, does not disclose, teach or suggest any indication as to which of the displayed information from a database corresponds to any current time of day. Applicant submits that the schedule entry displayed in

Fig. 9 represents a schedule that was either sent to the operator, (col. 14, lns. 5-8), or one that was intentionally selected by such operator, (col. 14, lns. 31-33), and is otherwise unrelated to any current time of day information.

Applicant also submits that as a dependent claim of parent claim 1, dependent claim 3 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

In addition, Applicant also submits that as a dependent claim of parent claim 7, dependent claim 9 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

#### Claims 4 and 10

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, *inter alia*, "... a user input device arranged to allow input of said schedule data," (claim 4) or "receiving said schedule data as input from a user input device" (claim 10).

Applicant submits that as a dependent claim from parent claim 1, dependent claim 4 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

In addition, Applicant also submits that as a dependent claim of parent claim 7, dependent claim 10 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-

obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

Claims 5 and 6

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, *inter alia*, "... a display ... for displaying at least some of said schedule data and a time of day indicator, a digital signal processing device providing current time of day information, wherein said time of day indicator is associated on the display with an item of said display schedule data coincident with said current time of day information," (claim 5) or "... the position of said time of day indicator relative to said item of said displayed schedule data is variable in accordance with the current time of day information and the duration of said item of said displayed schedule data," (claim 6).

Applicant submits that Tsukamoto et al. is absent any discussion of a "time of day indicator." Specifically, the discussion in Tsukamoto et al. located in col. 18, lns. 45-49, is directed to placing restrictions for a particular portable telephone for a particular schedule entry and is otherwise absent any discussion of the use of a "time of day indicator." As shown in Fig. 19, the inputting of a schedule entry having restrictions does not include a display of a "time of day indicator." Instead, simply the static start and end times of the particular schedule entry are present, and absent is any mention of a dynamic time of day indicator.

Further, Applicant submits that such start and end times represent static "time of schedule indicators" not dynamic "time of day indicators." Applicant emphasizes an example of what is meant by a "time of day indicator," where, for example, in both Applicant's Fig. 3 and Fig. 4, an arrow (">") is used to representing such an indicator. Such indicators are further described, on page 4 lns. 11-18, where they are described, for example, as representing "the current time of day ... as the time of day progresses," (Spec. pg. 4, lns. 10-11).

In addition, Applicant also submits that as a dependent claim of parent claim 5, dependent claim 6 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

Claims 11 and 14

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, inter alia, "... computer program arranged to perform the method ... when executed on a programmable mobile terminal," (claims 11 and 14).

Applicant also submits that as a dependent claim of parent claim 7, dependent claim 11 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

Further, Applicant also submits that as a dependent claim of parent claim 12, dependent claim 14 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

Claim 15

Applicant submits that Tsukamoto et al. does not disclose, teach or suggest Applicant's claimed subject matter including, inter alia, "... computer program according to claim 14, recorded on a carrier," (claim 15).

Applicant submits that as a dependent claim of parent claim 14, dependent claim 15 is allowable for at least the reasons that the parent claim is allowable. Applicant further submits

that such dependent claim is also allowable in light of the presence of novel and non-obvious elements contained in the dependent claim that are not otherwise present in the parent claim.

## CONCLUSION

In light of the amendments contained herein, Applicant submits that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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